### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Toshiyuki Matsumoto and Kyoji Tamura

09/075,885

**Group Art Unit:** 

**Filed** 

May 11, 1998

**Examiner:** 

R. Tillery

For

PHOTOGRAPHIC METHOD AT TIME OF SELF-PHOTOGRAPHY, AND

IMAGE SENSING APPARATUS THEREFOR

COMMISSIONER FOR PATENTS P.O. Box 1450

Alexandria, VA 22313-1450

#### REQUEST FOR RE-ISSUANCE OF FIRST OFFICE ACTION

Sir:

Applicants filed a status inquiry on April 22, 2003 as no communication has been received from the USPTO since an Assignment Recordation Notice dated July 16, 1998. In response to the status inquiry, the Examiner informed Applicants by telephone that a first Office Action was mailed on June 6, 2002. However, Applicants did not receive this Office Action. This Request for Re-Issuance of First Office Action is being filed pursuant to the undersigned's discussion with the Examiner.

As is evidenced by the mail receipt log from the Docketing Department at Morgan & Finnegan, LLP for the time period June 6 through June 31, 2002 (a copy of which is attached), no correspondence from the Patent and Trademark Office relating to this case (U.S. Serial No. 09/075,885) was received. Applicants were thus unaware of the June 6, 2002 Office Action until advised of its existence by the Examiner, and, as a result, have not filed a reply due to no fault on the part of Applicants.

Accordingly, Applicants request that the June 6, 2002 Office Action be re-issued with a revised mailing date and consequently a new date for responding.

Docket No. <u>1232-4442</u>

PATENT S/N: 09/075,885

Applicants would like to thank the Examiner for the courtesy extended in advising Applicants of the June 6, 2002 Office Action and for his consideration under the circumstances in re-issuing that Office Action. In the event that a telephone conference would facilitate resolution of this, or any other issue related to this case, the Examiner is invited to contact the undersigned at the number provided below.

Applicants believe no fees are required for this Request. However, should any fees be necessary, the Commissioner is hereby authorized to charge any fee for this paper, or credit any overpayment, to Deposit Account No. <u>13-4500</u>, Order No. <u>1232-4442</u>.

Dated: July 8, 2003

By:

Stephen J. Manetta

Registration No. 40,426

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Correspondence Address:

Morgan & Finnegan, L.L.P. 345 Park Avenue New York, NY 10154 (212) 758-4800 (Telephone) (212) 751-6849 (Facsimile)



Docket No. <u>1232-4442</u>

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)

Toshiyuki Matsumoto and Kyoji Tamura

Serial No

09/075,885 /

**Group Art Unit:** 

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R. Tillery

For

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PHOTOGRAPHIC METHOD AT TIME OF SELF-PHOTOGRAPHY, AND

IMAGE SENSING APPARATUS THEREFOR

#### **CERTIFICATE OF MAILING (37 C.F.R. 1.8a)**

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

I hereby certify that the enclosed:

Request for Re-Issuance of First Office Action (including copy of 1. mail log records as referenced therein); and

Return Postcard 2.

along with any paper(s) referred to as being attached or enclosed and this Certificate of Mailing are being deposited with the United States Postal Service on date shown below with sufficient postage as first-class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

By:

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: July 8, 2003

Stephen Manetta

Registration No. 40,426

CORRESPONDENCE ADDRE MORGAN & FINNEGAN LLP 345 Park Avenue New York, New York 10154 (212) 758-4800 (212) 751-6849 Facsimile

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